

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF VIRGINIA

In re:

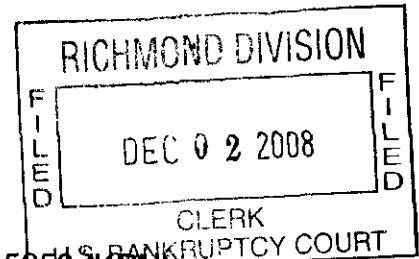
CIRCUIT CITY STORES, INC., et al.,

Debtors.

Chapter 11

Case No. 08-35653-KRH

(Jointly Administered)



**NOTICE OF APPEARANCE; DEMAND FOR SERVICE OF PAPERS; AND DEMAND
FOR PAYMENT OF ALL POST-PETITION RENT AND PERFORMANCE BY DEBTOR
OF ALL OF ITS OBLIGATIONS UNDER ITS COMMERCIAL LEASE IN ACCORDANCE
WITH BANKRUPTCY CODE §365 (d)(3)**

PLEASE TAKE NOTICE that pursuant to Section 1109(b) of Title 11 of the United States Code and Rule 9010 of the Federal Rules of Bankruptcy Procedure, GREEN 521 5TH AVENUE LLC hereby appears in the above-captioned case by its counsel, STEMPEL BENNETT CLAMAN & HOCHBERG, P.C.

Request is hereby made pursuant to Federal Rule of Bankruptcy Procedure 2001 for service of all papers, including, but not limited to, orders, reports, pleadings, motions, applications or petitions, disclosure statements, plans and answering and reply papers, filed in the above-captioned case by mailing one (1) copy of any such paper to:

STEMPEL BENNETT CLAMAN & HOCHBERG, P.C.
675 Third Avenue, 31st Floor
New York, New York 10017
Attn: Edmond P. O'Brien, Esq.


Demand is hereby made pursuant to Bankruptcy Code §365 (d)(3) for payment of all post-petition rent and additional rent due (payments to be made promptly upon the

due dates specified in the Lease, as defined herein); and for the performance by debtor of all of the obligations of the tenant pursuant to the non-residential lease dated May 3, 2007 between debtor as tenant and GREEN 521 5TH AVENUE LLC ("Landlord") as landlord (the "Lease"), for the premises known as portion of the first floor and a portion of the second floor in the building known as 521 Fifth Avenue, New York, New York 10175.

Specifically, pursuant to Bankruptcy Code § 365(d)(3), all post-petition rent and additional rent now due and owing to Landlord, including rent for the "stub period" between the November 10, 2008 filing date and November 30, 2008 must be paid immediately, and in any event within sixty (60) days of the date that this proceeding was filed, and debtor must remain current on all post-petition rent and additional rent charges going forward, as and when billed.

Dated: New York, New York
December 1, 2008

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TO: All parties having appeared

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF VIRGINIA

In re:

CIRCUIT CITY STORES, INC., et al.,

Debtors.

Chapter 11

Case No. 08-35653 (KRH)

(Jointly Administered)

AFFIDAVIT OF SERVICE

STATE OF NEW YORK,
COUNTY OF NEW YORK ss:

Edmond O'Brien being duly sworn says: I am not a party to the action, am over 18 years of age and am employed at Stempel Bennett Claman & Hochberg, P.C., 675 Third Avenue, NY, NY 10017.

On December 1, 2008, I served a true copy of the annexed NOTICE OF APPEARANCE; DEMAND FOR SERVICE OF PAPERS; AND DEMAND FOR PAYMENT OF ALL POST-PETITION RENT AND PERFORMANCE BY DEBTOR OF ALL OF ITS OBLIGATIONS UNDER ITS COMMERCIAL LEASE IN ACCORDANCE WITH BANKRUPTCY CODE §365 (d)(3) in the following manner:

- ☒ by mailing the same in a sealed envelope, with postage prepaid thereon, in a post-office or official depository of the U.S. Postal Service within the State of New York, addressed to the last known address of the addressee(s) as indicated below:

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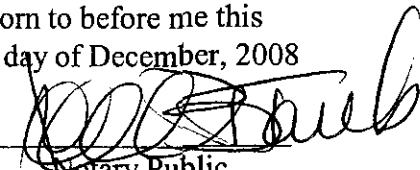
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Creditor Claimant Activity:

08-35653-KRH Circuit City Stores, Inc.

Type: bk

Chapter: 11 v

Office: 3 (Richmond)

Judge: KRH

Assets: y

Case Flag: JNTADMN, Appeal

U.S. Bankruptcy Court

Eastern District of Virginia

Notice of Electronic Filing

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Case Name: Circuit City Stores, Inc.

Case Number: 08-35653-KRH

Document Number: 538

Docket Text:

Notice of Appearance , *DEMAND FOR SERVICE OF PAPERS; AND DEMAND FOR PAYMENT OF ALL POST-PETITION RENT AND PERFORMANCE BY DEBTOR OF ALL OF ITS OBLIGATIONS UNDER ITS COMMERCIAL LEASE IN ACCORDANCE WITH BANKRUPTCY CODE 365 (d)(3)* filed by Edmond Patrick O'Brien of Stempel Bennett Claman & Hochberg, P.C. on behalf of Green 521 5th Avenue LLC.(O'Brien, Edmond)

The following document(s) are associated with this transaction:

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